

**BEFORE THE
ILLINOIS COMMERCE COMMISSION**

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COMMERCE COMMISSION
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In the Matter of the Application of)
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Bandwidth.com CLEC, LLC)
)

for a Certificate of Local and Interexchange)
Authority to Operate as a Reseller and)
Facilities Based Carrier of Telecommunications)
Services Throughout the State of Illinois)
_____)

Docket No. 07-0150

PRE-FILED TESTIMONY OF DAVID MORKEN

Q: Please state your full name, business address, and position.

A. My name is David Morken. My business address is Bandwidth.com CLEC, LLC ("Applicant"), 4001 Weston Parkway, Suite 100, Cary, NC 27513. I am President of the Applicant company.

Q. Please describe your professional experience and educational background.

A. Bandwidth.com CLEC, LLC was formed in January 2007. It is a wholly owned subsidiary of Bandwidth.com, Inc., which was formed in July 1999. I am responsible for all of the Applicant's operations, including relations with government regulatory agencies, regulatory compliance, and intercarrier relations. Prior to forming Bandwidth.com, I served in the United States Marines for four years as Special Assistant U.S. Attorney, Criminal Prosecutor and Company Commander. I am a 1994 graduate of the University of Notre Dame Law School and member of the Virginia Bar Association. I received a BA from Oral Roberts University in 1991.

Q. Have you testified before the Illinois Commerce Commission previously?

A. No.

Q. Is Bandwidth.com CLEC, LLC legally authorized to do business in Illinois?

A. Yes. The Applicant has been granted a Certificate of Authority to Transact Business in the State of Illinois ("Certificate") and a copy of the Certificate is attached to Applicant's Application as part of Appendix F.

Q. Are you familiar with the application that was submitted by Applicant on February 27, 2007 to the Commission for a Certificate of Authority ("Application")?

A. Yes. I am familiar with Applicant's application.

Q. Are there any changes or updated information of which the Commission should be aware?

A. No.

Q. What is the purpose of your testimony in this proceeding?

A. The purpose of my testimony is to describe the resold and facilities-based services that Applicant proposes to offer in Illinois and to review issues related to Applicant's request for a license to provide such services. My testimony specifically relates to Applicant's managerial, financial, and technical competence to provide the telecommunications services for which authority is requested.

Q. Please describe the authority that Applicant seeks from the Commission.

A. Applicant seeks to offer all forms of resold and facilities-based interexchange and local exchange telecommunications services throughout the State of Illinois.

Q: Please describe the corporate structure of Applicant.

A: Applicant is a limited liability corporation that is wholly owned by Bandwidth.com, Inc. Bandwidth.com, Inc. was formed in 1999 as a complete business communications provider offering advanced VoIP, Internet Services and Managed Network Services to small and medium businesses. My co-founder, Henry Kaestner, and I were frustrated by our own experiences as small business owners in purchasing network services, and so set out to build a company that

was technically proficient but placed a premium on customer service. Bandwidth.com, Inc. has enjoyed great success and growth over the past eight years. Last year, Bandwidth.com, Inc. was named to Inc. Magazine's "Inc. 500" list of the fastest-growing private companies in the country, coming in at number sixteen.

Q: Please describe Applicant's managerial and technical qualifications.

A: Applicant possesses the managerial qualifications to provide its proposed local exchange telecommunications services. Applicant has eight years of experience in offering cutting edge data telecommunications services to demanding clients all over the country, and its key operational personnel have had experience prior to that at companies like MCI and US Networks. Applicant is currently also applying for authority to provide telecommunications services in the states of California, Florida, Georgia, New York, North Carolina, Ohio, Texas and Virginia. It has been granted provisional authority in Pennsylvania, where its application is also pending. Descriptions of the telecommunications and managerial experience of Applicant's key personnel, who have extensive management, financial, and technical experiences, are provided to the Commission with the Application as Appendix G.

Q: Please describe Applicant's financial qualifications.

A: As explained in its Application, Applicant possesses the financial qualifications necessary to conduct its telecommunications operations. Financial statements demonstrating the parent company's financial capability to offer the proposed services are submitted under seal as Appendix H of the Application.

Q: Please describe the types of services will Applicant will offer in Illinois.

A: Applicant intends to provide facilities-based and resold local exchange telecommunications services in Illinois. While Applicant will offer voice services to customers

utilizing the traditional circuit-switched public network, Applicant will also offer services using Internet Protocol over the emerging packet-switched public network to provide voice and data applications that interact seamlessly with the traditional public switched network. Applicant will continuously monitor and maintain a high level of control over its network on a 24-hours-a-day, 7-days-a-week basis to ensure that Applicant provides safe, reliable, and high-quality telecommunications services in Illinois.

Q. What facilities will Applicant use to provide its proposed local exchange services?

A. Applicant's telecommunications services in the State of Illinois will initially be provided through the resale of the facilities of other certificated carriers. Applicant will deploy its own facilities in Illinois as business and market conditions warrant.

Q. Please provide the name, address and telephone number of the person that will serve as your company's contact to the Consumer Service Division for complaint resolution.

A. For complaint resolution, the contact is Joe Campbell, Vice President of Operations, 4001 Weston Parkway, Suite 100, Cary, NC 27513, Tel: (800) 808-5150, Fax: (919) 297-1101, Email: jcampbell@bandwidth.com.

Q: Will the granting of a certificate of convenience and necessity to Applicant serve the public interest?

A: Yes, both the Illinois legislature and the United States Congress, through the Communications Act of 1934, as amended ("Federal Act"), have determined that it is in the public interest to promote competition in the provision of telecommunications services. As noted above, the Federal Act was designed to promote increased competition in the telecommunications market. Moreover, the Commission has already determined that the grant of applications for competing licenses to provide telecommunications service is in the public interest. The grant of Applicant's Application will further the public interest by expanding the

availability of alternative sources of telecommunications services in the State of Illinois. Applicant's proposed services will provide multiple public benefits by providing users of telecommunications services with a greater range of competitive choices. In addition, increased competition will create incentives for lower prices, more innovative services, and more responsive customer service.

Enhanced local exchange services competition also will stimulate the demand for the services supplied by all local service carriers, including the incumbents. The incumbent carriers will have market incentives to improve the efficiency of their operations, and will benefit from the increased use of telecommunications services, due to the expansion of the total market for telecommunications services.

Furthermore, increased competition has driven telecommunications prices downward, which benefits Illinois consumers who have seen concomitant reductions in their bills, which in turn has contributed to strengthening the Illinois economy.

Q. Does this conclude your testimony?

A. Yes, it does.